IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 20736 of 2001

Between:

1.B.Sreenivasa Rao s/o Lakshmi Narasimham, aged 44 years,

Secretary, Lingampalem PACS Ltd. H 887, Lingampalem (v)

& (M), West Godavari District.

2. D.S.Satyanarayana s/o D.Krishna Rao, aged 40 years,

Secretary, Mulagalampalli, PACS Ltd., No. E 933,

Mulampalli (v), West Godavari District.

3. S.Satyanarayana Prasad s/o S.Nageswara Rao, aged 53 years

Secretary, Dharbagudem Primary Agricultural Coop Society Ltd.,

No. WG 311, Dharbagudem (v), West Godavari District.

4. N.Adinarayana s/o not known, Secretary Adavikolanu Large

Sized Coop Society Ltd., Adavikolanu (v) , West Godavari District.

... PETITIONERS

AND

1. The Government of Andhra Pradesh, Cooperation Department,

Represented by its Principal Secretary, Secretariat, Hyderabad .

2. The Registrar of Co-operative Societies, Andhra Pradesh,

Nampally, Hyderabad.

3. The District Cooperative Officer, Eluru, West Godavari District.

4. The West Godavari District Cooperative, Central Bank Ltd.,

Eluru, West Godavari District, Rep. By its General Manager

5. Chairman/PIC, Lingampalem Primary Agricultural Coop Society

Lingampalem (v) , West Godavari District.

6. Chairman/PIC, Mulagampalli Primary Agricultural Coop Society

Ltd., Mulagampalli (v), West Godavari District.

7. Chairman/PIC, Dharbagudem Primary Agricultural Coop Society Ltd.,

Dharbagudem (v), West Godavari District.

8. Chairman/PIC , Adavikolanu Large Sized Cooperative Society

Ltd., Adavikolanu (v) , West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or order direction more particularly in nature of writ of mandamus declaring the action of the respondents herein in not treating the secretaries appointed by the societies termed as board secretaries on par with the paid secretaries and denying them all the service and financial benefits as highly arbitrary, illegal, patently discriminatory, quite unjust, contrary to avowed principle of equal pay for equal work as enunciated by the Hon'ble Supreme Court of India besides being violative of the cardinal principles of natural justice apart from hitting Articles 14,16 and 21 of the Constitution of India and consequently direct the respondents to treat the petitioners herein on par with paid secretaries by allowing them all benefits of service and financial.

Counsel for the Petitioner:MR.D.V.BHADRAM (Not present)

Counsel for the Respondents No. 1 to 3, 5 to 7: G.P. for Co.Op.

Counsel for the Respondent No.4: MR.K.CHIDAMBARAM

Counsel for the Respondent No.8: S.VENKATESWARA RAO

The Court made the following :

ORDER:

On 28-10-2004 when the matter was called, none appeared and there was no representation. Therefore, the case was posted to 4-11-2004. Even today i.e. on 4-11-2004 when the matter is called, none appears and there is no representation.

Accordingly, the writ petition is dismissed for default. No order as to costs.

B.Prakash Rao, J.

4th November, 2004.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Principal Secretary,The Government of Andhra Pradesh,

Cooperation Department, Secretariat, Hyderabad .

2. The Registrar of Co-operative Societies, Andhra Pradesh,

Nampally, Hyderabad.

3. The District Cooperative Officer, Eluru, West Godavari District.

4. The General Manager, West Godavari District Cooperative, Central

Bank Ltd., Eluru, West Godavari District,

5. Chairman/PIC, Lingampalem Primary Agricultural Coop Society

Lingampalem (v) , West Godavari District.

6. Chairman/PIC, Mulagampalli Primary Agricultural Coop Society

Ltd., Mulagampalli (v), West Godavari District.

7. Chairman/PIC, Dharbagudem Primary Agricultural Coop Society Ltd.,

Dharbagudem (v), West Godavari District.

8. Chairman/PIC , Adavikolanu Large Sized Cooperative Society

Ltd., Adavikolanu (v) , West Godavari District.

9. 2CCs to G.P. for Co.op. , High Court Buildings, Hyderabad,(OUT)

2.2CD copies

THE HON'BLE MR JUSTICE B.PRAKASH RAO

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4th November, 2004.